

Notice of Allowability

Application No.

09/910,657

Examiner

Martin Lerner

Applicant(s)

JAEPEL ET AL.

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 31 January 2007.
2. ☒ The allowed claim(s) is/are 1 to 8, 11 to 18, 46 to 53, 56 to 66, and 69 to 71.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Independent claims 1, 46, and 64 are allowable because the prior art of record does not disclose or reasonably suggest generating a word list for a context-enhanced database in speech recognition from input having been sent to a user from a different user (e.g. a received e-mail), based on a current or a past activity performed by the user. *Thelen et al.* ('551) discloses delivering documents fulfilling user-specified criteria by e-mail for creating a vocabulary for speech recognition, but the e-mails are only generated by fulfilling search criteria and are not sent from a different user. (Column 7, Lines 5 to 8) *Reynar et al.* discloses a stochastic input interface for an application including a spreadsheet and electronic mail, where a candidate list of alternatives is provided for a text selection to permit editing, but does not clearly disclose generating a context-enhanced database from electronic mail. (Column 11, Line 21 to Column 12, Line 24) *Smith* discloses adding words from a received e-mail to a vocabulary for speech recognition, but is commonly assigned to International Business Machines, and is only available as prior art under 35 U.S.C. §102(e); thus, *Smith* is not prior art under 35 U.S.C. §103(c), as a rejection to meet all the limitations of the independent claims would require a combination with *Young et al.* ('959). *Nguyen et al.* discloses generating a language model from e-mail, but is not prior art, due to a filing date of 13 September 2001.

Applicants' Specification discloses generating a context-enhanced database from input sent to a user from a different user, and modifying an existing context-enhanced database by past or current activities selected from displaying, sending, or receiving e-mail, a spreadsheet, a facsimile, etc. (Page 8, Line 17 to Page 9, Line 9) An objective is to use available information to provide improved and more accurate speech recognition. (Page 8, Lines 3 to 4) The prior art of record does not disclose or reasonably suggest generating a context-enhanced database from input sent to a user from a different user, where the context-enhanced database is modified and dynamically generated based upon one of a current activity and a past activity performed by the user.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

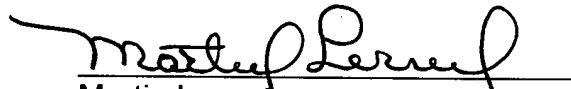
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Martin Lerner whose telephone number is (571) 272-7608. The examiner can normally be reached on 8:30 AM to 6:00 PM Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ML
3/6/07


Martin Lerner
Examiner
Group Art Unit 2626